

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CRYSTAL SEAMAN, \*  
\*  
Plaintiff, \*  
\*  
vs. \* Case Number: 2:05-CV-00414-T  
\*  
FOOD GIANT SUPERMARKETS, INC., \*  
\*  
Defendant. \*

**DEFENDANT FOOD GIANT SUPERMARKET, INC.'S  
PRE-TRIAL DISCLOSURES**

COMES NOW Food Giant Supermarket, Inc., Defendant in the above-styled cause, and pursuant to Fed. R. Civ. P. 26(a)(3) and the Rule 16(b) Scheduling Order, provides Plaintiff with the following information regarding the evidence that it may present at trial, other than solely for impeachment purposes.

**A. The name, address, and telephone number of each witness whom Food Giant expects to present or call at trial.**

1. Marcy Wright  
P. O. Box 465  
Kinston, AL 36453-0465  
Phone No. 334-449-1326
2. Aisha Patrick  
Piggly-Wiggly Store No. 759  
404 S. Second Street  
Florala, AL 36442  
Phone No. 334-858-3444
3. Anita Patterson  
Opp Nursing Facility  
115 East Paulk Avenue  
Opp, AL 36467  
334-493-4558

4. Plaintiff Crystal Seaman
5. Plaintiff's husband, Robert Seaman
6. Lamar Hawkins  
PEG, Inc.  
Medical Forum Building  
950 22nd Street North, Suite 632  
Birmingham, AL 35203-1128  
Phone No. 205-458-8485

**B. Designation of those witnesses whose testimony is expected to be presented by deposition and the pertinent portions of the deposition testimony:**

1. Deposition testimony of Plaintiff.
  - Page 9, Lines 11-25
  - Page 10, Lines 1-25
  - Page 11, Lines 1-8
  - Page 15, Lines 16-23
  - Page 16, Lines 16-25
  - Page 17, Lines 1-9
  - Page 19, Lines 7-9
  - Page 23, Line 1-11
  - Page 25, Lines 5-23
  - Page 26, Lines 3-15
  - Page 27, Lines 1-25
  - Page 28, Lines 11-25
  - Page 29, Lines 1-18 and Lines 22-25
  - Page 30, Lines 1-15 and Lines 24-25
  - Page 31, Lines 10-13
  - Page 32, Lines 2-25
  - Page 33, Line 1
  - Page 36, Lines 24-25
  - Page 37, Lines 1-13
  - Page 38, Lines 17-19 and Lines 23-25
  - Page 39, Line 1 - 25
  - Page 40, Lines 1-5
  - Page 43, Lines 10-20
  - Page 52, Lines 22-24
  - Page 68, Lines 1-5 and Lines 19-22
  - Page 71, Lines 18-23

Page 73, Lines 9-16  
Page 75, Lines 17-24  
Page 76, Lines 9-15  
Page 77, Lines 14-24

2. Deposition testimony of Plaintiff's husband, Robert Seaman

Page 7, Lines 24-25  
Page 8, Lines 1-25  
Page 9, Lines 1-11 and Lines 19-25  
Page 10, Lines 1-12 and Lines 19-25  
Page 11, Lines 1-25  
Page 12, Lines 1-11  
Page 13, Lines 19-24  
Page 14, Lines 9-19  
Page 19, Lines 17-25  
Page 20, Lines 1-25  
Page 21, Lines 1-25  
Page 22, Lines 1-6 and Lines 24-25  
Page 23, Lines 1-25  
Page 24, Lines 1-25  
Page 25, Lines 1-25  
Page 26, Lines 1-19

3. Deposition testimony of Dr. Steven R. Beranek

Page 11, Lines 22-23  
Page 12, Lines 1-5 and Line 16-23  
Page 13, Lines 1-2  
Page 22, Lines 2-23  
Page 23, Lines 1-4  
Page 23, Lines 14-16 and Lines 17-23  
Page 24, Lines 1-4 and Lines 5-21  
Page 25, Lines 5-23  
Page 26, Lines 1-8  
Page 29, Lines 1-9  
Page 30, Lines 21-23  
Page 31, Lines 12-17  
Page 32, Lines 16-23  
Page 33, Lines 1-19 and Lines 20-23  
Page 34, Lines 1-11  
Page 34, Lines 2-22  
Page 36, Lines 10-21 and Lines 22-23

Page 37, Lines 7-13 and Lines 17-23  
Page 38, Lines 1-23  
Page 39, Line 1 - 3 and Lines 4 - 7  
Page 41, Lines 3 - 23  
Page 42, Lines 1 - 4  
Page 47, Lines 21 - 23  
Page 48, Lines 1 - 3

**C. Identification of each document or exhibits which Defendant may offer at trial.**

1. Photograph of the subject ramp, with carpet, attached to Plaintiff's deposition as Defendant's Exhibit 1.
2. Photograph of the subject ramp without carpet.
3. Transcribed recorded statement of Plaintiff.
4. Food Giant incident report.
5. Dothan Neurodiagnostic Center record dated, June 19, 2003.
6. Office note, dated January 12, 2004 from Dr. Beranek releasing Plaintiff to go back to school with no restrictions (Attached as Defendant's exhibit 1 to Dr. Beranek's deposition).
7. September 2, 2004 record from Dr. Beranek's office (attached as Defendant's Exhibit 1 to Dr. Beranek's deposition).
8. October 13, 2004 record from Dr. Beranek's office (attached as Defendant's Exhibit 1 to Dr. Beranek's deposition).
9. Certified copies of Plaintiff's criminal records from Florida.

Defendant reserves the right to object to any of Plaintiff's disclosures 14 days after such disclosures are made, and to supplement its exhibits after Plaintiff identifies her exhibits.

s/M. WARREN BUTLER  
s/M. WARREN BUTLER  
BUTLM3190

ASB-3190-R56-M  
RICHARD B. JOHNSON  
JOHNR8700  
ASB-8700-I65-J  
Attorneys for Defendants  
Lyons, Pipes & Cook, P.C.  
P. O. Box 2727  
Mobile, AL 36652  
Phone: (251) 441-8229  
Fax: (251) 433-1820  
E-mail: [MWB@lpclaw.com](mailto:MWB@lpclaw.com)

Of Counsel:

Lyons, Pipes & Cook, P.C.  
P. O. Box 2727  
Mobile, AL 36652  
(251) 441-8229

CERTIFICATE OF SERVICE

I do hereby certify that I have on this 2nd day of June, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of each filing to the following:

Charles W. Blakeney, Esq.  
P. O. Box 100  
Geneva, AL 36340

David J. Harrison, Esq.  
P. O. Box 994  
Geneva, AL 36340

s/M. WARREN BUTLER  
s/M. WARREN BUTLER  
BUTLM3190

ASB-3190-R56M  
RICHARD B. JOHNSON  
JOHNR8700  
ASB-8700-I65-J  
Attorneys for Defendant  
Lyons, Pipes & Cook, P.C.  
P. O. Box 2727  
Mobile, AL 36652  
Phone: (251) 441-8229  
Fax: (251) 433-1820  
E-mail: [MWB@lpclaw.com](mailto:MWB@lpclaw.com)